

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: MULTIPLAN HEALTH
INSURANCE PROVIDER LITIGATION

This Document Relates To:

ALL ACTIONS

Case No. 1:24-cv-06795
MDL No. 3121

Hon. Matthew F. Kennelly

**CLASS PLAINTIFFS' MOTION FOR
APPROVAL OF CLASS INFORMATIONAL WEBSITE**

Class Plaintiffs respectfully move the Court for approval of an informational website regarding the proposed class action that is part of this MDL. A mock-up of the Class's proposed website is attached hereto as Exhibit A (the "Class Informational Website").

"[A] district court has both the duty and the broad authority to exercise control over a class action and to enter appropriate orders governing the conduct of counsel and the parties." *Gulf Oil Co. v. Bernard*, 452 U.S. 89, 100 (1981). This authority extends to communications with class members even before a class is certified. *See In re Broiler Chicken Antitrust Litig.*, No. 1:16-CV-08637, 2019 WL 7285802, at *1 (N.D. Ill. Dec. 27, 2019); *Piekarski v. Amedisys Ill, LLC*, 4 F. Supp. 3d 952, 955 (N.D. Ill. 2013) ("[D]istrict courts have restricted communications with potential class members not only by plaintiffs but also by defendants, as well as communications before a class is certified.").

The Court should exercise its broad discretion under Rule 23 to permit publication of the proposed Class Informational Website. The content of the proposed website is consistent with all the general policies embodied in Rule 23. It accurately describes the ongoing proposed class action (and the MDL generally); it explains that absent class members' interests in the litigation are being adequately represented by Interim Class Counsel; and it makes clear that members of the proposed

class need not decide whether to remain part of the class until the opt-out deadline following a decision to certify the class.

Publication of the Class Informational Website is particularly appropriate given the opt-out marketing campaign currently underway. This campaign includes various online advertisements directed at absent class members, including the following Q&A published at <https://www.napolilaw.com/en/multiplan>:

^ Do I need to file my own case or could I join a class action later?

In order to participate in this multidistrict litigation, you must have a complaint filed on your behalf while the court is accepting new cases. We encourage you to sign up early to ensure your rights are protected.

CONCLUSION

In light of the foregoing, Class Plaintiffs respectfully request that the Court permit publication of the proposed Class Informational Website.

Dated: August 28, 2025

Respectfully submitted,

/s/ Shawn J. Rabin

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